G.R.S. IX—5]

Previous references. 1923-24 (Jud.)

File No. 17 23

Serial Nos. 2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. ~~one~~

Part B for August 1923

SUBJECT

Acts & Rules: page 96 Art. 324 power of (c) Substituting pr delegating the Rev. Comm. to certain subordinate officials of Dy: comrs, Asst Comrs, Aumildars & by Tahsildars.

2. The Chief Judge to get the non-gazetted offr subordinate to rank of the Judl Dept

2 C 2 To the comptr.

Noted 4-8-23.

C

G. R. S. III-2,

General and Revenue Secretariat. | S/A File No. 17 of 1923

Serial No.

199-22-6.

Extract from file no. 466 ~~199-22-6~~

RE. the Retirement in the Judicial department . . . .

× × × ×

(1) The proposal of the Chief Court is that the power to order the retirement of all non gaz^d. Subordinates may be delegated to it. So long as the power of appointing persons to non-gaz^d. posts on pay of Rs 100 and above is not delegated to the Ch: Court, it would not be right to delegate to that Court the power to order the retirement of non gaz^d officers whose pay is Rs 100 or more. Subject to this condition, I do not see any objn to the proposed delegation. I would go further and say that a similar delegation be made in the case of the Heads of all the important departments

(2) The rules reg: Superannuation pensions contained in arts 321.323 & 324 C.S.R. are elaborate & they can with advantage be replaced by art 459 C.S.R which contains all the necy. provns in a compact form. The adoption of this ruling in the C.S.R means the recognition of the general principle that the authority competent to appt persons is also competent to retire them. If this principle is accepted – I do not see any objn to accepting it – we may adopt the CSR art 459 & permit a further decentralisation in the power of ordering retirement and make

NOTE—Contn. sheet.

G. R. S. III-2,

(2)

General and Revenue Secretariat. | Jud. File No. 17 of 1923.

Serial No.

1

The proposal of the Jt Secy is a general one relating to all depts and may be approved.

2nd mr.) Sd/- K.M. 2.5.
Dewan.

The recommendation of the Jud Secy is based upon the principle that the power of appointment shd carry with it the power of retirement but in case of non-scheduled appointments carrying a pay of Rs 100 & upwards sanction of His Highness is necessary (vide sect 3. clause ii of the provisions) If the principle is overlooked as it evidently is in the case of powers given to the Rev com^r I have no objection to delegate to the Ch Court the powers to retire officials as proposed.

Sd/- M.H.H. 4/5.

Dewan)

I agree with the Mr.
Dividalo

Sd/- A.R.B. 21.5.

I agree P.A.R. 29.5.23.

Extract from the Jud Note d. 9. 7. 23.

× × × × × ×

I am of opinion that the present requests the Ch. Court may be sanctioned & the general

NOTE—Contn. sheet.

D.287/n. 3

G. R. S. III-2]

General and Revenue Secretariat. | SLA File No. 17 of 1923

Serial No.

question raised by the Financial Secretary separately. . . x x x x .

The general order authorising the Chief Judge to retire nongazd officials of the Judl dept on whatever pay, has issued vide G.O no. P.278-9.J13.7.23.

The draft of A-e slip to Art 324(b) N.S.R. is also put up for approval as per orders of the Asst Secy Finance on the Retired file —

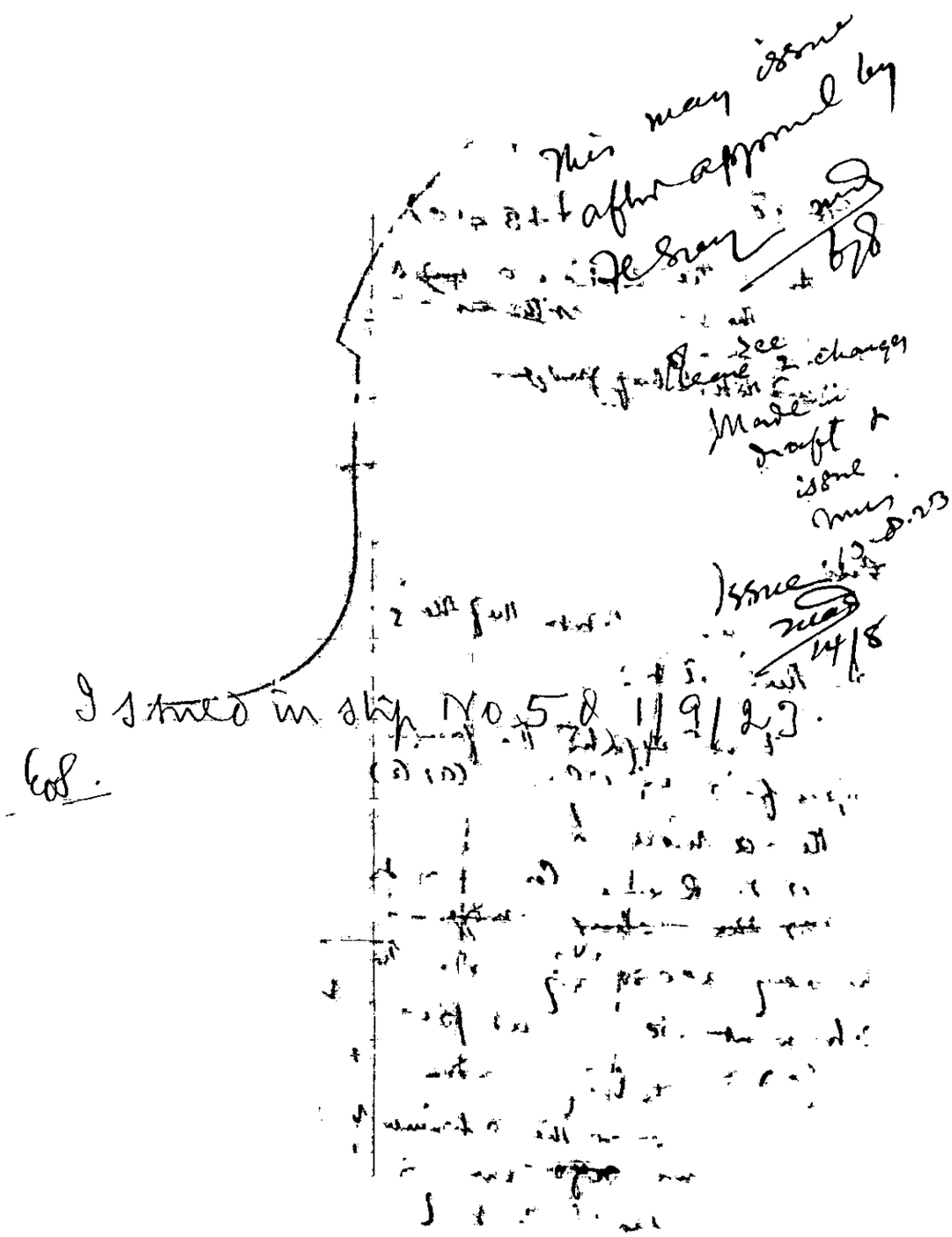
After issue, the general question referred to in para 2 of the Dist Secy's note on page 1 will have to be taken up

As extract has been taken the Cuttack file will be returned to the Protection Branch.

Subd. with draft Ade for approval

Asstt 23.2.23) 24/2

NOTE—Contn. sheet.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G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

A+C Slip

Page 99

Article 324(d) as amended by Act No 1 of 4-3-21

Add the words "the Chief Judge" after "the Revenue Commissioner" and "(e)" after clause "(c)" in line 2 of this article.

~~one~~ Page 98

~~Insert as clause (e) the following new~~ ~~this article~~ clause (cc) under this Article

"the Chief judge is authorised to order the retirement, on the ground of inefficiency any non-gazetted subordinate under his control, after ~~superannuation~~, irrespective of his pay."

for Financial Secy

RM 24/7

Page 98 after 324(c)

"~~Continue the article as amended changing the full stop at the end into a Comma~~

"~~and the Chief judge~~ under his Control, ~~after superannuation~~, irrespective of his pay."

Please substitute the following for this Act:

Govt have drafted the powers specified in clause (a) & (c) of this article to

(1) the Revenue Commissioner & ~~the Chief judge~~ Comptroller

~~(2) the Chief judge~~ who may order the retirement etc as at present.

(2) the Chief judge may order the retirement of any non gazetted subordinate under his Control

WE 2210—GPB—1,00,000—23-7-30

S & A 17.23-2
No: 2e: 6019/S&A 17-23-2 &
ADDENDA AND CORRIGENDA TO MYSORE SERVICE REGULATIONS 15-8-23
Vth EDITION.

Page 98. Article 324 (c)

Substitute the following for this article:-

Government have delegated the powers specified in clause (a) (2) of this article to

(1) The Revenue Commissioner, who may order the retirement of subordinate officials of the Revenue Establishments of Deputy Commissioners, Assistant Commissioners, Amildars and Deputy Amildars,

(2) The Chief Judge who may order the retirement of non-gazett subordinates of the Judicial Department.

Page 99 Article 324 (d) as amended by Addenda and Corrigenda No. 1 dated 4th March 1922.

Add the words " and the Chief Judge " after " the Revenue Commissioner " in line 2 of this article.

For Financial Secretary to Govern

cdp

ADDENDA AND CORRIGENDA TO MYSORE SERVICE REGULATIONS.

V Edition.

Page 98. Article 324 (c)

Substitute the following for this article :-

Government have delegated the powers specified in clause (a) (2) of this article to

(1) The Revenue Commissioner, who may ~~accordingly~~ order the retirement of subordinate officials of the Revenue Establishments of Deputy Commissioners, Assistant Commissioners, Amildars and Deputy Amildars the pension payable being sanctioned by Government as hitherto.-

(2) The Chief Judge who may order the retirement of ~~any~~ non-gazetted subordinates ~~under his control~~. of the Judicial Dept

Page 99. Article 324 (d) as amended by Addenda and Corrigenda No.1 dated 4th March 1924

Add the words " and the Chief Judge " after " the Revenue Commissioner " ~~and " (a) " after clause " (c)~~ " in line 2 of this article.

13-8-23

For Financial Secretary to Government.

Comptroller